

NOTICE OF RULE ADOPTION—CORRECTED FINAL RULE



STATE OF MISSISSIPPI
Mississippi Commission on Environmental Quality
Mississippi Department of Environmental Quality

Mississippi Department of Environmental Quality
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Specific Legal Authority Authorizing the
promulgation of Rule: Miss. Code Ann. §§ 49-17-
413 (Rev. 2003) and 49-2-9 (1) (Rev. 2003)

Reference to Rules repealed, amended or
suspended by the Proposed Rule. Amends
"Underground Storage Tank Regulations" UST-2

Date Rule Proposed: July 8, 2008

Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule: The purpose of the proposed amendment to the State of Mississippi Underground Storage Tank Regulations (UST-2) is to comply with federal regulations and the mandates of the National Energy Policy Act of 2005 (EPACT, 42 U.S.C. 15801) as authorized by Mississippi Senate Bill 2376 (Regular Session 2008) and to make additional changes to enhance and protect human health and the environment.

The Agency Rule Making Record for this rule including any written comments received during the comment period and the record of any oral proceeding is available for public inspection by contacting the Agency at the above address.

☒ An oral proceeding was held on this rule:

Date: August 12, 2008
Time: 5:00 p.m. CDT
Place: Commission Hearing Room, MDEQ, 515 East Amite Street, Jackson, Mississippi 39201

☐ An oral proceeding was not held on this rule.

The Agency has considered the written comments and the presentations made in any oral proceedings, and

☐ This rule as adopted is without variance from the proposed rule.

☒ This rule as adopted differs from the proposed rule as there are minor editorial changes which affect the form rather than the substance of the rule.

☐ The rule as adopted differs from the proposed rule. The differences however are:
Within the scope of the matter in the notice of proposed rule adoption,
The logical outgrowth of the contents of the Notice of Proposed Rule Adoption and the comments submitted response thereto, and
The Notice of Proposed rule Adoption provided fair warning that the outcome of the proposed rule adoption could be the rule in question.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Effective Date of Rule: October 1, 2008

Signature and Title of Person Submitting Rule for Filing

Theodore D. Lampton III, Senior Attorney, MDEQ